## Mini Transcript and Word Index To the Deposition of

## **BERNARD MOMMENS**

April 19, 2006

In the case:

Quaak et al Vs. Dexia et al

Taken in Brussels, Belgium

Reporting supplied by

Anglo-American Court Reporters Itd

Iondon England

Tel: + 44 (0) 207 264 2088

Email: info@a-acr20m

Q. Do you know whether you reviewed

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1 any drafts of this internal audit memorandum bef	ore
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2 it was finalised?

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- 3 A. I do not think it is the practice
- 4 to review by all people working in bank a draft of
- 5 or by whatever people I do not think it is
- 6 common practice to review documents of audit; so my
- 7 answer is no.
- Q. The reference here says your
- 9 manager GIP that is the reference to the private
- 10 banking, is that correct?
- 11 A. Private banking or institutional
- 12 banking. But I have never did institutional
- banking, so the person who wrote this and this is
- 14 the very best proof that I did not read it, because
- 15 my title is not correct.
- Q. You would have, at least at this
- 17 point, have been out of the legal department in
- 18 January 2001, is that correct?
- 19 A. Yes, since more than one year. I

301

> was out of the legal in 1 January 2000. 20 Q. Do you know if any of the people 21 listed as recipients of this memo on the first page 22 were members of the bank's audit committee? 23 A. The banks audit committee? 24 Q. Audit committee of the bank? 25 A. I cannot answer to that, I do 1 not know the composition of the audit committee. 2 Q. Were you ever a member of the 3 audit committee of the bank? A. No sir. 5 Q. If you look to the second page 6 of this exhibit under 'Context and objectives', it 7 says that the CBF requested by two letters - I am 8 paraphrasing - that the bank determined the risk 9 incurred on the Lernout and Hauspie group and to 10

> evaluate how well the support services functioned 11 in the context of the transactions with L&H, and 12 the Artesia Bank Incorporation audit committee in 13 addition made the same request? 14 A. I was looking at the words of 15

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12	in the context of the transactions with L&H, and
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